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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/729,158	12/08/2003	Takeshi Makiyama	1152-0293P	3080

2292 7590 06/09/2005

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EXAMINER	
SHERALI, ISHRAT I	

ART UNIT	PAPER NUMBER
2621	

DATE MAILED: 06/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/729,158	MAKIYAMA ET AL.	
	Examiner	Art Unit	
	Sherali Ishrat	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 December 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *23 and 24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *23 and 24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☒ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Response to Amendment/Arguments

1. This action is in response to amendment/arguments received on 12/17/2004.

Applicant's arguments are fully considered however they are moot due to new grounds of rejection, which was necessitated due to amendment to the claims.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 23-24 are rejected under 35 USC § 102 (b) as being anticipated by Wu et al. (US 5,376,968).

Regarding claim 23 Wu discloses image coding apparatus (Fig. 1, shows image coding apparatus, Transform, Quantize and Encode) comprising:

a motion compensation means (Wu, Fig 1, col. 8, lines 24-25, Wu states "compression mode using motion compensation" which corresponds to motion compensation means);

a transforming means (Wu, Fig 1, blocks 12, 26 and 44 col. 27-28, Wu shows transforming means);

a quantizing means (Wu, Fig 1, blocks 12, 26 and 44 col. 27-28, Wu shows transforming and quantizing means);

an inverse quantizing means (Wu, Fig 2, block 84 shows inverse quantizing means);

an inversing transform means (Wu, Fig 2, block 86 shows inverse transforming means);

motion compensation means is composed of plural motion compensation tools (Wu, Fig 2, shows plural motion vector [MV], and Wu in col. 4, lines 6-13, states "The second compression mode compress each block with motion compensation based on a general motion vector and "The third compression mode compresses each block with motion compensation based on specific motion vector and Wu, in col. 25-45, explains plural motion compensation means);

image coding apparatus transmit differential information indicating an additional condition tool constituting a decoding algorithm for decoding a coded image data (Wu, Fig 2, col. 10, lines 29-40, states "the quantized coefficients selected by switch in response to the super-block comparator are input to inverse quantizer and inverse transform [decoding image data] to recover the original data block or difference signal input to the corresponding transform quantize circuit. For DPCM difference signal adder 88 is used add back either the prior frame best match for general motion vector case or prior frame best match data for the specific motion vector case". The difference signal transmitted to inverse quantizer and inverse transform corresponds to image coding apparatus

transmit differential information indicating an additional condition tool constituting a decoding algorithm for decoding a coded image data);

differential information includes information indicating a motion compensation tool (Wu, Fig 2, col. 10, lines 29-40, states "the quantized coefficients selected by switch in response to the super-block comparator are input to inverse quantizer and inverse transform [decoding image data] to recover the original data block or difference signal input to the corresponding transform quantize circuit. For DPCM difference signal adder 88 is used add back either the prior frame best match for general motion vector case or prior frame best match data for the specific motion vector case". The difference information corresponds to differential information which includes information indicating a motion compensation tool) .

Regarding claim 24 Wu discloses image decoding apparatus (Figs. 1 and 2, shows image decoding apparatus, inverse Transform, and inverse Quantizer comprising:

a motion compensation means (Wu, Fig 1, col. 8, lines 24-25, Wu states "compression mode using motion compensation" which corresponds to motion compensation means);

an inverse quantizing means (Wu, Fig 2, block 84 shows inverse quantizing means);

an inversing transform means (Wu, Fig 2, block 86 shows inverse transforming means);

motion compensation means is composed of plural motion compensation tools (Wu, Fig 2, shows plural motion vector [MV], and Wu in col. 4, lines 6-13, states "The second compression mode compress each block with motion compensation based on a general motion vector and "The third compression mode compresses each block with motion compensation based on specific motion vector and Wu, in col. 25-45, explains plural motion compensation means);

image decoding apparatus receive differential information indicating an additional condition tool constituting a decoding algorithm for decoding a coded image data (Wu, Fig 2, col. 10, lines 29-40, states "the quantized coefficients selected by switch in response to the super-block comparator are input to inverse quantizer and inverse transform [decoding image data] to recover the original data block or difference signal input to the corresponding transform quantize circuit. For DPCM difference signal adder 88 is used add back either the prior frame best match for general motion vector case or prior frame best match data for the specific motion vector case". The difference signal transmitted to inverse quantizer and inverse transform corresponds to image deccoding apparatus receives differential information indicating an additional condition tool constituting a decoding algorithm for decoding a coded image data);

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coefficients selected by switch in response to the super-block comparator are input to inverse quantizer and inverse transform [decoding image data] to recover the original data block or difference signal input to the corresponding transform quantize circuit. For DPCM difference signal adder 88 is used add back either the prior frame best match for general motion vector case or prior frame best match data for the specific motion vector case". The difference information corresponds to differential information which includes information indicating a motion compensation tool).

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sherali Ishrat whose telephone number is 571-272-7398 The examiner can normally be reached on 8:00 AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Au Amelia can be reached on 571-272-7414. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ishrat Sherali

Patent Examiner

Group Art Unit 2621

May 28, 2005

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SUPERVISORY PATENT EXAMINER
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